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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 13 - 0169 CRB
	)	
Plaintiff,	)	UNITED STATES'
	)	STATUS CONFERENCE STATEMENT
v.	)	
	)	
ALFRED J. VILLALOBOS and	)	
FEDERICO R. BUENROSTRO, JR.,	)	
aka Fred Buenrostro,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

**I. INTRODUCTION**

The United States of America, by Melinda Haag, United States Attorney for the Northern District of California, and by Timothy J. Lucey and Philip Guentert, Assistant United States Attorneys, submit this memorandum to provide a summary of the status of the case. This summary may assist the Court in the scheduling of further dates and the trial.

**II. DEFENDANTS' IDENTIFICATION OF COUNSEL**

On March 25, 2013, William J. Portanova entered a general appearance on behalf of defendant Federico R. Buenrostro, Jr., aka Fred Buenrostro ("Buenrostro").

1 While defendant Alfred J. Villalobos (“Villalobos”) currently has no counsel of record,  
 2 the United States understands that Bruce Funk, Esq., will be entering a general appearance in  
 3 magistrate court, on Wednesday, May 8, 2013, at 9:30 a.m., prior to appearing before this Court  
 4 later that day.

### 5 **III. SPEEDY TRIAL DATE/TRIAL DATE AND MOTION DATES**

6 At present, the Speedy Trial Act (18 U.S.C. § 3161 et seq.) requires that the trial begin on  
 7 or before July 17, 2013.

### 8 **IV. DISCOVERY/REQUEST FOR RECIPROCAL DISCOVERY**

9 The United States recently received a formal written request for discovery from  
 10 Buenrostro’s counsel and is in the process of responding to that request. The United States  
 11 anticipates receiving a similar request from Villalobos’ counsel, after he makes his anticipated  
 12 general appearance on May 8, 2013.

13 At this point, the United States expects Rule 16 discovery will consist of approximately  
 14 40,000 to 60,000 pages of discovery, including documents such as financial records, business  
 15 records, correspondence, e-mail, pleadings, transcripts of depositions and other legal  
 16 proceedings, and electronic data. Jencks Act material will be provided to the defendants in  
 17 advance of the trial date scheduled by this Court.

18 The United States will be making a request for reciprocal discovery from both  
 19 defendants, pursuant to Rule 16.

### 20 **V. OTHER MATTERS**

21 The United States understands that the defendants before this Court are also parties to  
 22 other litigation arising out of, or relating to, the subject matter of the allegations in the pending  
 23 Indictment. These other matters include:

- 24 • *People v. Villalobos, et al.*, the Superior Court of the State of California, in and  
 25 for the County of Los Angeles (West District) (Docket No. SC107850), is a civil  
 26 complaint filed on or about May 5, 2010. Both Villalobos and Buenrostro are  
 27 defendants in this action. The Superior Court has scheduled a trial date in this  
 28 action for October 28, 2013.

**UNITED STATES’ STATUS CONF. STMT.**

*United States v. Villalobos, Buenrostro* [CR 13 - 0169 CRB]

- *Securities and Exchange Commission v. ARVCO Capital Research, LLC, et al.*, the United States District Court, in and for the District of Nevada (Docket No. 3:12-CV-00221-RCJ-WGC), is a civil complaint filed on or about April 23, 2012. Both Villalobos and Buenrostro are defendants in this action. The District Court has not set a trial date in this action, but the Court has issued a scheduling order requiring the parties to complete discovery by August 16, 2013. The parties are required to file a joint pre-trial order no later than September 15, 2013.
- *In re Alfred J. R. Villalobos, et al.*, the United States Bankruptcy Court, in and for the District of Nevada (Docket No. 3:10-BK-52248-GWZ), is a bankruptcy action filed on or about June 9, 2010. Villalobos is a debtor in that action. There are number of adversary proceedings pending in, and administered through, this bankruptcy action, including *Villalobos v. Apollo Management, L.P.*, (3:13-AP-5017-GWZ), a civil complaint filed on April 15, 2013.

Dated: May 7, 2013

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/  
TIMOTHY J. LUCEY  
PHILIP GUENTERT  
Assistant United States Attorneys